

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOEL BROWN,

Petitioner,

-against-

STATE OF NEW YORK,

Respondent.

20-CV-5280 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated July 13, 2020, the Court directed Petitioner within thirty days, to submit a completed request to proceed *in forma pauperis* (“IFP application”) or pay the \$5.00 in fees required to file a civil action in this Court. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not filed an IFP application or paid the fee. Accordingly, the petition is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Petitioner and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: August 17, 2020
New York, New York



COLLEEN McMAHON
Chief United States District Judge